

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

No. CR 14-00175 WHA

v.

PACIFIC GAS AND ELECTRIC
COMPANY,

Defendant.

**REQUEST FOR FURTHER
RESPONSES**

At the February 3 hearing, counsel for the offender, Attorney Kevin Orsini, stated:

[A]s we sit here right now, what we know is there were three different sets of qualified foresters who went out there, who examined the area in their professional judgment, designated a thousand trees in that area to come down. Used the tools that PG&E has in place, that include assessment of lean and species, and made a determination that they were not going to mark that tree for removal

This comment was with respect to the gray pine looming over the Girvan Line. Everyone knows which tree we were and are talking about.

PG&E shall supply the following, separately, with respect to each of the three determinations:

1. The forester's name, position, and employer.
2. The qualifications of the forester and her license.

3. The date the determination was made not to mark the gray pine for removal.
4. The extent of investigation and inspection of the gray pine by the forester in making the determination, including whether she inspected all sides and how close she got.
5. What photographs, notes, or videos were taken by the forester at the time of the determination?
6. What reports were written by the forester about the determination?
Append all reports and records of any sort by the forester.
7. Her specific reasons for not marking the gray pine for removal.
8. The extent to which the forester was aware of the lean of the tree, the species of the tree, and any pre-existing damage to the tree.
9. The extent to which the forester realized that if the tree fell in the direction of the lean, it would fall upon the power line.

This should be done under oath by the forester, appending all reports or records of any sort made by the forester. If there are no reports specific to the gray pine, say so. This means three separate declarations. The response shall be due **FEBRUARY 12, 2021, AT NOON.**

IT IS SO ORDERED.

Dated: February 5, 2021.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE